

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

WALLACE T. RUTHERFORD, JR.,

3:15-cv-00476-SB

Plaintiff,

ORDER

v.

COMMISSIONER SOCIAL SECURITY
ADMINISTRATION,

Defendant.

BROWN, Judge.

Magistrate Judge Stacie F. Beckerman issued Findings and Recommendation (#11) on July 8, 2015, in which she recommends this Court deny Plaintiff's Motion (#10) for Appointment of Pro Bono Counsel and pursuant to 28 U.S.C. § 1915(e)(2)(B) dismiss Plaintiff's Complaint (#1) without prejudice and with leave to amend no later than October 8, 2015. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Beckerman's Findings and Recommendation (#11). Accordingly, the Court **DENIES** Plaintiff's Motion (#10) for Appointment of *Pro Bono* counsel with leave to renew after the filing of any amended complaint for further proceedings before the Magistrate Judge. The Court also **DISMISSES** Plaintiff's Complaint (#1) **without prejudice** and with leave to amend no later than **October 9, 2015**.

IT IS SO ORDERED.

DATED this 10th day of September, 2015.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge